IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 519 OF 2003

W.H. RIZVI, PONDA-GOA. ....Petitioners

Versus

TOYO LABORATORIES PVT.LTD., AND 8 ORS., ...Respondents

MR.A.F.DINIZ,MR.S.S.KANTAK,R.1

Coram:- A.M.KHANWILKAR & P. V. HARDAS, JJ.

Date:- 9th December, 2003

P.C.:

Heard both sides. The main grievance made in this petition is that the respondent no.2 has issued licence in favour of respondent no.1 to carry on commercial/production activities in the building, which is essentially in the residential zone, which is impermissible in law. The respondent no.2 has filed an affidavit and has asserted that the said building is now falling within the commercial zone, as per the new zoning. Besides the affidavit, records have been produced before us to support this assertion. In view of this, the grievance of the petitioner that the building is in the residential zone is no longer available to the petitioner. If there is any other grievance, it will be open for the

petitioner to agitate the same before the respondent no.2 before issuance of renewal licence in favour of respondent no.1 in or around March 2004. Petitioner to make a representation and/or file objection before the end of February 2004, which be considered by the respondent no.2 before renewal of licence in favour of respondent no.1 in March 2004. Petitioner in addition to filing the representation before the respondent no.2 shall also furnish a copy thereof to the respondent no.1, so that respondent no.1 may offer appropriate explanation, if any. With these observations the petition is disposed of.

A.M.KHANWILKAR, J.

P. V. HARDAS, J.